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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

8 Plaintiff(s),

9 v.

10 STEVEN GRIMM, et al.,

11 Defendant(s).

Case No. 2:08-CR-64 JCM (GWF)

ORDER

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13 Presently before the court is the matter of *USA v. Grimm et al.*, case number 2:08-cr-00064-
14 JCM-GWF. On January 27, 2020, the United States of America (“the government”) filed its first
15 motion to extend time to respond to Grimm’s motion to vacate, set aside, or correct sentence. (ECF
16 No. 765). On February 21, 2020, the government filed its fourth motion to extend time to file its
17 motion regarding *Honeycutt* and the Eighth Amendment as applied to the defendants or to settle.
18 (ECF No. 766).

19 As it pertains to the first motion to extend time, the government indicates that it needs
20 information from Grimm’s trial counsel to address his ineffective-assistance-of-counsel claims.
21 (ECF No. 765). Good cause appearing, the court grants the government’s first motion to extend
22 time. The court also instructs the government to file a status report informing the court when it
23 receives counsels’ affidavits or declarations. The government’s response to Grimm’s motion is
24 due within 90 days of the government receiving such affidavits or declarations.

25 The court now turns to the government’s fourth motion to extend time. (ECF No. 766).
26 Only Mazzarella objected to the continuance; all other parties agreed. *Id.* at 2. The government
27 represents that it is in the process of providing records to a forensic accounting company—which
28 the parties agreed to—but that “[b]ecause the original documents were in an extremely old

1 computer program, exporting it for production has been extremely complicated.” *Id.* Thus, despite
2 the government’s continued good faith efforts, the process has not yet been completed. *Id.* Good
3 cause appearing, the court grants the government’s fourth motion to extend time.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the government’s motion
6 to extend time (first request) (ECF No. 765) be, and the same hereby is, GRANTED.


7 IT IS FURTHER ORDERED that the government shall file a status report informing the
8 court when it receives counsels’ affidavits or declarations.

9 IT IS FURTHER ORDERED that the government’s response to Grimm’s motion is due
10 within 90 days of the government receiving affidavits or declarations from Grimm’s trial counsel.

11 IT IS FURTHER ORDERED that the government’s motion to extend time (fourth request)
12 (ECF No. 766) be, and the same hereby is, GRANTED.

13 IT IS FURTHER ORDERED that the government shall file its motions regarding
14 *Honeycutt* and the Eighth Amendment as applied to the defendant or to settle by August 28, 2020.

15 DATED February 25, 2020.

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17 UNITED STATES DISTRICT JUDGE
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